

AMENDED IN SENATE APRIL 13, 2011

SENATE BILL

No. 477

Introduced by Senator Wright

February 17, 2011

~~An act to amend Section 48260.5 of the Education Code, relating to~~
An act to add Section 48260.1 to, and to repeal Section 48260.5 of, the
Education Code, relating to pupils.

LEGISLATIVE COUNSEL'S DIGEST

SB 477, as amended, Wright. Pupils: truancy.

(1) Existing law provides that a pupil subject to compulsory full-time education or to compulsory continuation education who is absent from school without valid excuse 3 full days in one school year or tardy or absent for more than any 30-minute period during the schoolday without a valid excuse on 3 occasions in one school year, or any combination thereof, is a truant. Existing law requires, upon a pupil's initial classification as a truant, a school district to notify the pupil's parent or guardian using the most cost-effective method possible, which may include electronic mail or a telephone call, that the pupil is truant, and to communicate additional information relating to truancy, as prescribed.

~~This bill would require that the school district provide this notice to the pupil's parent or guardian within 24 hours of the pupil's initial classification as a truant~~ *repeal that provision regarding notification of truancy. The bill instead would require a school district to establish a policy for notifying a pupil's parent or guardian upon a pupil's initial classification as a truant.* By requiring school districts to ~~provide a higher level of service by performing duties in a shorter timeframe than is required under existing law~~ *perform a new duty*, this bill would impose a state-mandated local program.

(2) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: yes.

The people of the State of California do enact as follows:

1 SECTION 1. Section 48260.1 is added to the Education Code,
2 to read:
3 48260.1. (a) A school district shall establish a policy for
4 notifying a pupil's parent or guardian upon a pupil's initial
5 classification as a truant.
6 (b) The policy shall specify the time period for notifying the
7 parent or guardian and the means by which notification shall
8 occur.
9 SEC. 2. Section 48260.5 of the Education Code is repealed.
10 ~~48260.5. Upon a pupil's initial classification as a truant, the~~
11 ~~school district shall notify the pupil's parent or guardian using the~~
12 ~~most cost-effective method possible, which may include electronic~~
13 ~~mail or a telephone call:~~
14 ~~(a) That the pupil is truant.~~
15 ~~(b) That the parent or guardian is obligated to compel the~~
16 ~~attendance of the pupil at school.~~
17 ~~(c) That parents or guardians who fail to meet this obligation~~
18 ~~may be guilty of an infraction and subject to prosecution pursuant~~
19 ~~to Article 6 (commencing with Section 48290) of Chapter 2 of~~
20 ~~Part 27.~~
21 ~~(d) That alternative educational programs are available in the~~
22 ~~district.~~
23 ~~(e) That the parent or guardian has the right to meet with~~
24 ~~appropriate school personnel to discuss solutions to the pupil's~~
25 ~~truancy.~~
26 ~~(f) That the pupil may be subject to prosecution under Section~~
27 ~~48264.~~

1 ~~(g) That the pupil may be subject to suspension, restriction, or~~
2 ~~delay of the pupil's driving privilege pursuant to Section 13202.7~~
3 ~~of the Vehicle Code.~~

4 ~~(h) That it is recommended that the parent or guardian~~
5 ~~accompany the pupil to school and attend classes with the pupil~~
6 ~~for one day.~~

7 ~~SECTION 1. Section 48260.5 of the Education Code is~~
8 ~~amended to read:~~

9 ~~48260.5. Upon a pupil's initial classification as a truant, the~~
10 ~~school district shall notify the pupil's parent or guardian within~~
11 ~~24 hours of that classification using the most cost-effective method~~
12 ~~possible, which may include electronic mail or a telephone call,~~
13 ~~of all of the following:~~

14 ~~(a) That the pupil is truant.~~

15 ~~(b) That the parent or guardian is obligated to compel the~~
16 ~~attendance of the pupil at school.~~

17 ~~(c) That parents or guardians who fail to meet this obligation~~
18 ~~may be guilty of an infraction and subject to prosecution pursuant~~
19 ~~to Article 6 (commencing with Section 48290).~~

20 ~~(d) That alternative educational programs are available in the~~
21 ~~district.~~

22 ~~(e) That the parent or guardian has the right to meet with~~
23 ~~appropriate school personnel to discuss solutions to the pupil's~~
24 ~~truancy.~~

25 ~~(f) That the pupil may be subject to prosecution under Section~~
26 ~~48264.~~

27 ~~(g) That the pupil may be subject to suspension, restriction, or~~
28 ~~delay of the pupil's driving privilege pursuant to Section 13202.7~~
29 ~~of the Vehicle Code.~~

30 ~~(h) That it is recommended that the parent or guardian~~
31 ~~accompany the pupil to school and attend classes with the pupil~~
32 ~~for one day.~~

33 ~~SEC. 2.~~

34 ~~SEC. 3. If the Commission on State Mandates determines that~~
35 ~~this act contains costs mandated by the state, reimbursement to~~
36 ~~local agencies and school districts for those costs shall be made~~
37 ~~pursuant to Part 7 (commencing with Section 17500) of Division~~
38 ~~4 of Title 2 of the Government Code.~~

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